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8 Attorneys for Plaintiff  
 UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

12 UNITED STATES OF AMERICA,  
 13 Plaintiff,

14 v.

15 JERRY FANYUAN LIN,  
 16 JASON I. MING WEI,  
 REN SUI,  
 17 a.k.a. "Jeffrey,"  
 ERIK DAMIEN VICENTE,  
 18 JOSE G. GARIBAY,  
 a.k.a. "Guero,"  
 19 SHANE KELTER,  
 ADRIAN GARCIA DE ALBA,  
 20 a.k.a. "Pedro,"  
 JAGMOHAN S. DHILLON,  
 21 PARAMIJT SINGH,  
 a.k.a. "Pumma,"  
 22 WALTHER EDGARDO ORELLANA  
 AGUILAR,  
 23 a.k.a. "Sharky,"  
 FAUSTO VILLA PEREZ,  
 24 MING CHIEN HSIEH,  
 a.k.a. "Sonny,"  
 25 HONG YEE CHOW,  
 a.k.a. "Annie,"  
 26 MARCO ANTONIO SILVA MOTA,  
 ALEXANDER CHIANG POU,  
 27 a.k.a. "Alex,"  
 28

No. SA

**SACR 08-223**

GOVERNMENT'S EX PARTE  
APPLICATION FOR ORDER SEALING  
INDICTMENT; DECLARATION OF  
TERRI K. FLYNN

[UNDER SEAL]

**FILED**

**AUG 27 2008**

CLERK, U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 SOUTHERN DIVISION AT SANTA ANA, CA

DOCKETED ON CM

**AUG 28 2008**

BY

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1  
2 NATHANAEL GARRARD LINEHAM, )  
3 a.k.a. "Nat," )  
4 MICHELLE ENCK, )  
5 Defendants. )  
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7 The government hereby applies ex parte for an order that the  
8 indictment and any related pleadings in the above-titled case  
9 (but not the arrest warrants for the charged defendants) be kept  
10 under seal until such time as the government informs the Clerk's  
11 Office in writing that one or more of the charged defendants have  
12 been taken into custody on the indictment or the government moves  
13 to unseal the indictment, whichever occurs first.

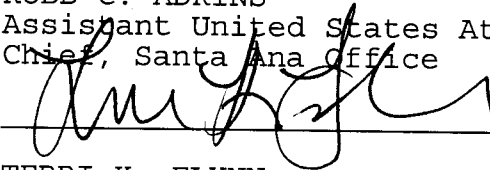
14 This ex parte application is made pursuant to Federal Rule  
15 of Criminal Procedure 6(e)(4) and is based on the attached  
16 declaration of Terri K. Flynn.

17 DATED: August 27, 2008

Respectfully submitted,

18 THOMAS P. O'BRIEN  
19 United States Attorney

20 ROBB C. ADKINS  
21 Assistant United States Attorney  
22 Chief, Santa Ana Office

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25 TERRI K. FLYNN  
26 Assistant United States Attorney  
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DECLARATION OF TERRI K. FLYNN

I, Terri K. Flynn, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in the prosecution of United States v. Jerry Fanyuan Lin, et al., the indictment which is being presented to a federal grand jury in the Central District of California on August 27, 2008.

2. The defendants charged in the above-captioned indictment have not been taken into custody on the charges contained in the indictment and have not been informed that they are being named as defendants in the indictment to be presented to the grand jury on August 27, 2008. The likelihood of apprehending one or more of the charged defendants might be jeopardized if the indictment in this case was made publicly available before the defendants are taken into custody on the indictment.

3. Accordingly, the government requests that the indictment in this case (but not the arrest warrants) be sealed until one of the defendants is taken into custody on the charges contained in the indictment and the government either notifies the clerk's office in writing of the fact that one of the charged

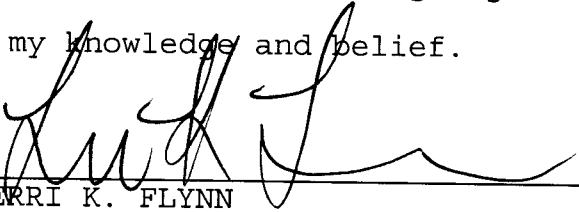
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1 defendants has been apprehended or the government moves to unseal  
2 the indictment, whichever occurs first.

3 I declare under penalty of perjury that the foregoing is  
4 true and correct to the best of my knowledge and belief.

5 DATED: August 26, 2008

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8 TERRI K. FLYNN  
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